

**SUPREME COURT MINUTES
WEDNESDAY, SEPTEMBER 1, 2010
SAN FRANCISCO, CALIFORNIA**

S031641**PEOPLE v. TATE (GREGORY O.)**

Rehearing denied
The petition for rehearing is denied.

S083904**PEOPLE v. VERDUGO
(NATHAN JAMES)**

Rehearing denied
The petition for rehearing is denied.

S165906 B204354 Second Appellate District, Div. 5**HAWORTH (RANDAL D.) v.
S.C. (OSSAKOW)**

Opinion modified - change in judgment

S183703 G040798 Fourth Appellate District, Div. 3**PARKS (ALLAN) v. MBNA
AMERICAN BANK N.A.**

Petition for review granted
Chin, J., was recused and did not participate.
Votes: George, C. J., Kennard, Baxter, Werdegar, Moreno, and Corrigan, JJ.

S183737 B214707 Second Appellate District, Div. 6**IN RE C.H.**

Petition for review granted
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S173586 D052181 Fourth Appellate District, Div. 1**STATE BUILDING &
CONSTRUCTION TRADES
COUNCIL OF CALIFORNIA,
AFL-CIO v. CITY OF VISTA**

Issues ordered limited
In the matter of State Building and Construction Trades Council of California, AFL-CIO v. City of Vista, S173586, review granted on August 19, 2009, the parties are ordered, pursuant to rule

8.516 of the California Rules of Court, to limit their argument to the following issue: “Does the Prevailing Wage Law (Lab. Code, § 1720 et seq.) apply to charter cities?” The issues to be argued do not include whether application of the Prevailing Wage Law to charter cities would constitute an unfunded state mandate within the meaning of article XIII B, section 6 of the California Constitution. (See *City of Vista’s* Answer to the Petition for Review, p. 28.)

S183604 D057293 Fourth Appellate District, Div. 1 **PEOPLE v. SONNIER**
(WINIFRED)

Petition for review granted; briefing deferred

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Brown*, S181963 (see Cal. Rules of Court, rule 8.524 (c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.528, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S184846 A123893 First Appellate District, Div. 1 **YANEZ (ANA SILVA) v.**
SOMA ENVIRONMENTAL
ENGINEERING, INC.

Petition for review granted; briefing deferred

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Howell v. Hamilton Meats & Provisions, Inc.*, S179115 (see Cal. Rules of Court, rule 8.524 (c)) pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.528, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S116794 **HOLT (JOHN LEE) ON H.C.**

Order to show cause issued, returnable in Superior Court (Atkins claim)

The Director of the Department of Corrections and Rehabilitation is ordered to show cause in the Kern County Superior Court, when the matter is placed on calendar, why petitioner’s death sentence should not be vacated and petitioner sentenced to life imprisonment without the possibility of parole on the ground that he is mentally retarded within the meaning of *Atkins v. Virginia* (2002) 536 U.S. 304, as alleged in claim I of the petition for writ of habeas corpus filed June 18, 2003. (See *In re Hawthorne* (2005) 35 Cal.4th 40.) The return is to be filed on or before October 1, 2010.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S140077**WALLACE (KEONE) ON H.C.**

Order to show cause issued, returnable in Superior Court (Atkins claim)

The Director of the Department of Corrections and Rehabilitation is ordered to show cause in the Fresno County Superior Court, when the matter is placed on calendar, why petitioner's death sentence should not be vacated and petitioner sentenced to life imprisonment without the possibility of parole on the ground that he is mentally retarded within the meaning of *Atkins v. Virginia* (2002) 536 U.S. 304, as alleged in Claim XVII of the petition for writ of habeas corpus filed January 4, 2006. (See *In re Hawthorne* (2005) 35 Cal.4th 40.) The return is to be filed on or before October 4, 2010.

Claims X - XVI, and XVIII - XXXV are denied on the merits.

Except to the extent they allege ineffective assistance of counsel, Claim XIII, Subclaims XIV (A)-(F), (H), (I)(2), (J)(1), and Claim XXIX are procedurally barred, separately and independently, because they could have been, but were not, raised on appeal. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)

Claim XIV (G) is procedurally barred, separately and independently under *In re Walthaus* (1965) 62 Cal.2d 218, 225, because it was raised and rejected on appeal.

Votes: George, C. J., Kennard, Werdegard, Moreno, and Corrigan, JJ.

S183062

H033090 Sixth Appellate District

**PEOPLE v. SCHULER
(BRIAN)**

Petition for review granted; transferred to Court of Appeal, Sixth Appellate District

The petition for review is granted.

The above-entitled matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its decision and, in order to avoid an unnecessary multiplicity of proceedings, to suspend further proceedings pending finality of the proceedings on remand in *People v. McKee* (2010) 47 Cal.4th 1172 (see *id.* at pp. 1208-1210), including any proceedings in San Diego County Superior Court in which *McKee* may be consolidated with any related matters. "Finality of the proceedings" shall include the finality of any subsequent appeal and any proceedings in this court.

Votes: George, C. J., Kennard, Baxter, Werdegard, Chin, Moreno, and Corrigan, JJ.

S183312

F055639 Fifth Appellate District

**PEOPLE v. REAMS (BRIAN
KEITH)**

Petition for review granted; transferred to Court of Appeal, Fifth Appellate District

The petition for review is granted.

The cause is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its order denying defendant's petition for rehearing and to issue a new order granting the petition for rehearing. (Gov. Code § 68081.)

Votes: George, C. J., Kennard, Baxter, Werdegard, Chin, Moreno, and Corrigan, JJ.

S179660 B204646 Second Appellate District, Div. 3 **PEOPLE v. SALEEM
(ETHAN)**

Dismissal order filed

Review in the above-entitled matter is dismissed in light of the 2010 amendments to Penal Code section 12370 (Stats. 2010, ch. 21). (Cal. Rules of Court, rule 8.528((b)(1).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S184921 **YOKELY (SHON) ON H.C.**

Petition ordered withdrawn

Pursuant to written request of petitioner, the above entitled petition for writ of habeas corpus is ordered withdrawn.

S125276 **HINTON (ERIC LAMONT)
ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed on June 2, 2004, is denied.

All claims except Claim VII are denied on the merits.

Claim VII is denied as premature, without prejudice to renewal after an execution date is set.

Claim I.G (to the extent the prosecutor allegedly engaged in misconduct by attempting to introduce aggravating evidence for which he had not provided a notice of evidence in aggravation under Penal Code section 190.3) is barred because it was raised and rejected on appeal. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.) This claim is otherwise additionally barred because it could have been, but was not, raised on appeal. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)

S166952 **TAYLOR (ROBERT
CLARENCE) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus filed on September 23, 2008, is denied.

All claims are denied on the merits.

All claims, except claims nine and ten, are denied as untimely. (*In re Robbins* (1998) 18 Cal.4th 770, 799, fn. 21; *In re Clark* (1993) 5 Cal.4th 750, 782-787.)

Claim 1 (to the extent the claim relates to Brian Andrade and Toni and John Roach) is barred because it was raised and rejected in a prior petition for writ of habeas corpus. (*In re Miller* (1941) 17 Cal.2d 734, 735.)

Except insofar as it alleges ineffective assistance of counsel, to the extent that claim 3 challenges the admissibility of evidence or asserts instructional error, it is barred by *In re Waltreus* (1965) 62 Cal.2d 218, 225, to the extent it was raised and rejected on appeal, and by *In re Dixon* (1953) 41 Cal.2d 756, 759, to the extent it was not raised on appeal.

Except insofar as they allege ineffective assistance of counsel, claims 4, 5, 6, 7, and 8 are barred by *In re Seaton* (2004) 34 Cal.4th 193, 199-200, because they were not properly preserved in the

trial court. Justice Werdegard would not impose the procedural bar of *In re Seaton, supra*, 34 Cal.4th 193.

Except insofar as it alleges ineffective assistance of counsel, claim 9 is barred by *In re Dixon, supra*, 41 Cal.2d 756, because it could have been, but was not, raised on appeal.

S182834 B205698 Second Appellate District, Div. 8

Petitions for review denied

**PEOPLE v. VASQUEZ
(ANGELO JACOB)**

S182986 F056776 Fifth Appellate District

Petition for review denied

**PEOPLE v. LOPEZ (JOSEPH
ENRIQUE)**

S183070 G040644 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HIJAZI (AHMED
ADEL)**

S183083 C061440 Third Appellate District

Petition for review denied

**PEOPLE v. WOOSLEY
(AARON MICHAEL)**

S183086 B219228 Second Appellate District, Div. 5
Petition for review denied

SCOTT (DARRYL) ON H.C.

S183198 A124661 First Appellate District, Div. 3

Petition for review denied; CA opinion decertified

The petition for review is denied.

The requests for an order directing depublication of the opinion are granted. The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed May 11, 2010, which appears at 184 Cal.App.4th 629. (Cal. Const., art. VI, section 14; rule 8.1125(c)(1), Cal. Rules of Court.)

Kennard, J., is of the opinion the petition should be granted.

**RIDGEWATER ASSOCIATES
LLC. v. DUBLIN SAN RAMON
SERVICES DISTRICT**

S183229 B206474 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HERNANDEZ
(JOSE LUIS)**

S183295 B209509 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. NGUYEN (QUI
THANH)**

S183406 F056521 Fifth Appellate District

Petition for review denied

PEOPLE v. BILKISS (LORET)

S183424 D054344 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GENTILE
(JOSEPH)**

S183432 B211477 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MANARD
(JAMAR LAVELL)**

S183444 C058687 Third Appellate District

Petition for review denied

**PEOPLE v. WOODS
(GREGORY JOSEPH)**

S183452 A123026 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. JONES (JAQUAN
TARRELL)**

S183453 B213675 Second Appellate District, Div. 7

Petition for review denied

PEOPLE v. FOLGAR (RONY)

S183467 C060588 Third Appellate District

Petition for review denied

**PEOPLE v. PIERCE
(JAYSHAWN VISA)**

S183510	B213721 Second Appellate District, Div. 6	PEOPLE v. ARCEO (BENIGNO VELASQUEZ)
Petition for review denied		
S183531	C060587 Third Appellate District	PEOPLE v. SEWELL (MICHAEL DAVID)
Petition for review denied		
S183554	C060988 Third Appellate District	PEOPLE v. BERNEL II (DAVID BRIAN)
Petition for review denied		
S183562	C060244 Third Appellate District	PEOPLE v. MACIAS (ERNESTRO SALVADOR)
Petition for review denied		
S183565	A122435 First Appellate District, Div. 1	PEOPLE v. REXRODE (RUSSELL E.)
Petition for review denied		
S183592	B202840 Second Appellate District, Div. 6	PEOPLE v. W. (ROSS)
Petition for review denied		
S183593	B213472 Second Appellate District, Div. 2	PEOPLE v. PAREDES (ELMER)
Petition for review denied		
S183599	D055907 Fourth Appellate District, Div. 1	PEOPLE v. McCOLLOM (ANTHONY LEMONT)
Petition for review denied		
S183603	D057047/D057318 Fourth Appellate District, Div. 1	BUCHANAN (RICHARD CHARLES) ON H.C.
Petition for review denied		

S183615	B220991 Second Appellate District, Div. 2	PEOPLE v. S.C. (MITCHELL)
Petition for review denied		
Moreno, J., is of the opinion the petition should be granted.		
S183616	A123755 First Appellate District, Div. 3	PEOPLE v. ROMERO (JEFFREY ANGEL)
Petition for review denied		
S183630	B211634 Second Appellate District, Div. 3	PEOPLE v. ORTEGA (MARCOS)
Petition for review denied		
S183637	B215802 Second Appellate District, Div. 7	PEOPLE v. GONZALEZ (GERMAN)
Petition for review denied		
S183660	B217731 Second Appellate District, Div. 1	JOHNSON (JAVIER) ON H.C.
Petition for review denied		
S183663	B213271 Second Appellate District, Div. 6	PEOPLE v. DELGADO (GLORIA)
Petitions for review denied		
The petition for review filed by defendant in propria persona is ordered stricken.		
The petition for review filed by appointed counsel is denied.		
S183665	B211673 Second Appellate District, Div. 4	PEOPLE v. McCLELLAN (KENNETH WAYNE)
Petition for review denied		
S183672	F055786 Fifth Appellate District	PEOPLE v. ALLEY, JR., (ROGER DALE)
Petition for review denied		

S183676 H032685 Sixth Appellate District

Petition for review denied

PEOPLE v. ROCHA (JOHN VANCE)

S183683 G041068 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. MULLENIX (RACHAEL SCARLETT)

S183695 D054667 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. VALADEZ (FRANCISCO JAVIER)

S183696 C059437 Third Appellate District

Petition for review denied

PEOPLE v. ATENCIO (AARON WILLIAM)

S183702 B209868 Second Appellate District, Div. 8

Petition for review denied

FABBIO (LUCIANO) v. NARGHIZIAN (ZAREH)

S183712 A123433 First Appellate District, Div. 4

Petition for review denied

PEOPLE v. HAYES (MILTON NATHANIEL)

S183719 B221620 Second Appellate District, Div. 4
Petition for review denied

KAHN (ANTOINE) ON H.C.

S183723 B219096 Second Appellate District, Div. 6
Petition for review denied

C.H. ON H.C.

S183741 G040851 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. BLOUNT (JOSHUA ANTHONY)

S183774 C059317 Third Appellate District

Petition for review denied

**PEOPLE v. DUNCAN
(JOSEPH WILLIAM)**

S183794 D054571 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MALDONADO
(OMAR EMANUEL)**

S183795 B212616 Second Appellate District, Div. 5

Petition for review denied; CA opinion decertified

The petition for review is denied.

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed May 13, 2010, which appears at 184 Cal.App.4th 808. (Cal. Const., art. VI, section 14; rule 8.1125(c)(1), Cal. Rules of Court.)

**PEOPLE v. LIGONS
(CARMELLA)**

S183803 B211212 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. WHITMORE
(MICHAEL)**

S183817 B219222 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. BENNETT
(DEVON A.)**

S183818 C060356 Third Appellate District

Petition for review denied

**PEOPLE v. DIXON III
(ANTHONY DEAN)**

S183819 B225049 Second Appellate District, Div. 4

The petition for review is denied as moot in view of the pendency of petitioner's renewed petition for writ of mandate in the Court of Appeal (*Virgil v. Superior Court*, B225718).

**VIRGIL (LESTER WAYNE) v.
S.C. (PEOPLE)**

S183822 B220104 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. HICKS (RICK
LEE)**

S183853 C064879 Third Appellate District

Petition for review denied

**LAU (HON) v. LOCKYER
(BILL)**

S183868 H033677 Sixth Appellate District

Petition for review denied

**PEOPLE v. BUTTS, JR.,
(HAROLD)**

S183891 E047532 Fourth Appellate District, Div. 2

Petition for review denied

**GUINN (HAROLD) v.
COUNTY OF SAN
BERNARDINO**

S183907 B209176 Second Appellate District, Div. 6

Petition for review & depublication request(s) denied

**CAMP (MELISSA) v. STATE
OF CALIFORNIA**

S183911 B211824 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GUTIERREZ
(DAVID EFRAIN)**

S183915

Petition for review denied

**OPONG-MENSAH (KOFI) v.
WORKERS'
COMPENSATION APPEALS
BOARD (CALIFORNIA
DEPARTMENT OF
FOOD & AGRICULTURE)**

S183917 E047527 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BAJEK (EMIL
MATTHEW)**

S183923 B219861 Second Appellate District, Div. 7

Petition for review denied

**T-BIRD NEVADA LLC. v
OUTBACK STEAKHOUSE,
INC.**

S183935 A127700 First Appellate District, Div. 2

Petition for review denied

**WHITE (ELIZABETH
CURRY) v. TABER
(JACQUELINE)**

S183968 E047822 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. NUNEZ (RUBEN
PORTILLO)**

S183979 C061879 Third Appellate District

Petition for review denied

**PEOPLE v. SALCEDO
(GABRIEL)**

S184036 B208440/B212435 Second Appellate District, Div. 4 **LOCKTON (DAVID) v.
O'ROURKE (MICHAEL)**

Petition for review denied

S184063 B221783 Second Appellate District, Div. 4
Petition for review denied

ADAMS (PHILLIP) ON H.C.

S184069 C060930 Third Appellate District
Petition for review denied

PEOPLE v. YAWILI (KANZA)

S184077 C062022 Third Appellate District
Petition for review denied

**PEOPLE v. FIELDING
(JACQUELYNN FAYE)**

S184132 C065259 Third Appellate District
Petition for review denied

SPLAWN (STEVEN) ON H.C.

S184153 B225011 Second Appellate District, Div. 3

Petition for review denied

**LEASURE (WILLIAM) ON
H.C.**

S184157 E050964 Fourth Appellate District, Div. 2

Petition for review denied

**GREENE (MICHAEL) ON
H.C.**

S184158 B210542 Second Appellate District, Div. 3

Petition for review denied

PEOPLE v. JACKSON (ERIC)

S184165 E048306 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. CASTREJON
(CRISANTO MURILLO)**

S184168 G041860 Fourth Appellate District, Div. 3

Petition for review denied

**SCOTT (RHONDA) v.
THOMPSON (RUSSEL)**

S184174 B208730 Second Appellate District, Div. 1

Petition for review denied

**BOMERSHEIM (GEORGE) v.
LOS ANGELES GAY &
LESBIAN CENTER**

S184176 E051026 Fourth Appellate District, Div. 2

Petition for review denied

**CANNON (TYRRALL
FARROW) ON H.C.**

S184177 F059903 Fifth Appellate District

Petition for review denied

SISCO (LEO) ON H.C.

S184198 C060265 Third Appellate District

Petition for review denied

**PEOPLE v. HARRIS (WAYDE
HOLLIS)**

S184215 G042401 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. SANCHEZ
(PEDRO ALBERSO)**

S184228 A122151 First Appellate District, Div. 4

Petition for review denied

**SANTA ROSA, CITY OF v.
PATEL (RAMAN D.)**

S184232 A125264 First Appellate District, Div. 5

Petition for review denied

Kennard and Corrigan, JJ., are of the opinion the petition should be granted.

**HAIGHT ASHBURY FREE
CLINICS, INC. v.
HAPPENING HOUSE
VENTURES**

S184235 G042896 Fourth Appellate District, Div. 3

Petition for review denied

ALVAREZ (JAIME) ON H.C.

S184278 B213370 Second Appellate District, Div. 1

Petition for review denied

**JACKSON (LISA) &
LUMPKIN (DENNIS),
MARRIAGE OF**

S184289 B212976 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. GRAJEDA
(KENNETH ARMAND)**

S184300 B213480 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. RAMIREZ
(RODOLFO ESTRADA)**

S184306 A125600 First Appellate District, Div. 4

Petition for review & publication request(s) denied

IN RE L.N.

S184336 A127154 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. POWELL
(QUINCY E.)**

S184340 G043814 Fourth Appellate District, Div. 3

Petition for review denied

**BERNAL (ALBERTO) ON
H.C.**

S184378 B217472 Second Appellate District, Div. 2

Petition for review denied

**JONES (MARY) v. NEWTON
(PETER)**

S184379 B217742 Second Appellate District, Div. 2

Petition for review denied

IN RE LUIS J.

S184391 E046298 Fourth Appellate District, Div. 2

Petition for review denied

**BERGER (BRYAN) v. STATE
OF CALIFORNIA**

S184409 H034367 Sixth Appellate District

Petition for review denied

**PEOPLE v. ARCE-SANCHEZ
(MARIO ADRIAN)**

S184417 B222589 Second Appellate District, Div. 4

Petition for review denied

George, C.J., was recused and did not participate.

SOLIZ (JAMES) ON H.C.

S184434 B217465 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. HASTEN (KURT
ANTHONY)**

S184441 C061943 Third Appellate District

Petition for review denied

**ROGERS (ALIKA) v. BELL
HELICOPTER TEXTRON,
INC.**

S184442	B216736 Second Appellate District, Div. 1	PEOPLE v. EDWARDS (GIBRAN KHALIL)
Petition for review denied		
S184483	G041334/G042214 Fourth Appellate District, Div. 3	PEOPLE v. LELENOA (ISAAKE)
Petition for review denied		
S184510	E051158 Fourth Appellate District, Div. 2	MAXWELL (DEMETRICE) v. S.C. (PEOPLE)
Petition for review denied		
S184514	G042543 Fourth Appellate District, Div. 3	MULLENIX (RACHEL SCARLETT) ON H.C.
Petition for review denied		
S184525	B223738 Second Appellate District, Div. 2	PEOPLE v. BOULWARE (RUBEN ODELL)
Petition for review denied		
S184527	E048648 Fourth Appellate District, Div. 2	PEOPLE v. GONZALEZ (RODOLFO)
Petition for review denied		
S184531	B218454 Second Appellate District, Div. 5	PEOPLE v. RAMIREZ (FRANCISCO)
Petition for review denied		
S184532	G041979 Fourth Appellate District, Div. 3	PEOPLE v. SECUNDINO (ELEAZAR)
Petition for review denied		

S184533**JACKSON (RAYMOND D.) v.
COURT OF APPEAL,
SECOND APPELLATE
DISTRICT, DIVISION
THREE (PEOPLE)**

Petition for writ of mandate/prohibition denied

S184535 B214607 Second Appellate District, Div. 8**PEOPLE v. MORENO
(MARLENE R.)**

Petition for review denied

S184539 B218659 Second Appellate District, Div. 5**GLENDALE, CITY OF v.
GEOSOILS CONSULTANTS,
INC.**

Petition for review & publication request(s) denied

S184540 E048276 Fourth Appellate District, Div. 2**PEOPLE v. MORALES
(FRANCISCO JAVIER)**

Petition for review denied

S184542 D055988 Fourth Appellate District, Div. 1**IN RE SERENA F.**

Petition for review denied

S184548 C060202 Third Appellate District**PEOPLE v. SANTANA
(ALEJANDRO)**

Petition for review denied

S184558 F058291 Fifth Appellate District**PEOPLE v. AGUILERA
(MICHAEL ANTHONY)**

Petition for review & publication request(s) denied

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Brown*, S181963.

The request for an order directing publication of the opinion is denied.

S184565 E048856 Fourth Appellate District, Div. 2

Petition for review denied

**GRANITE CONSULTING,
INC. v. HALL (ROBERT E.)**

S184576 D055668 Fourth Appellate District, Div. 1

Petition for review denied

**MUNN (JAMES) v. BRIGGS
(MICHAEL D.)**

S184590 B209518 Second Appellate District, Div. 2

Petition for review denied

**CITIZENS BUSINESS BANK
v. DE MILLE (JERRY)/
(GROVES)**

S184591 G041500 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. GALICIA
(RICARDO J. B.)**

S184598 B210194 Second Appellate District, Div. 3

Petition for review denied

**FRANCIS (LOUIS) v. CITY
OF LOS ANGELES**

S184599 C061097/C062004 Third Appellate District

Petition for review denied

**NAIR (JAYRAJ & BINDU),
MARRIAGE OF**

S184603

Petition for writ of mandate/prohibition denied

The petition for writ of mandate or error *coram vobis* is denied.

**JANDU (MANJIT SINGH) v.
COURT OF APPEAL,
SECOND APPELLATE
DISTRICT, DIVISION THREE
(PEOPLE)**

S184605 B216438 Second Appellate District, Div. 3

Petition for review denied

**ROOS (LORNA & MICHAEL
Y.), MARRIAGE OF**

S184607

Petition for writ of mandate/prohibition denied

**SANCHEZ (MARIO) v.
COURT OF APPEAL, THIRD
APPELLATE DISTRICT
(PEOPLE)****S184618** D055049 Fourth Appellate District, Div. 1
Petition for review denied**IN RE T.R.****S184625** B217536 Second Appellate District, Div. 1Petition for review denied
The request for judicial notice is denied.**GREENE (CEDRIC) v.
CERMAK (GWENDOLYN)****S184630** E048984 Fourth Appellate District, Div. 2The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Brown*, S181963.**PEOPLE v. CHAPMAN
(EDDIE LEE)****S184632** B211319 Second Appellate District, Div. 7

Petition for review denied

**YUSUF (SUNNY) &
SHCHERBAK (GANNA S.),
MARRIAGE OF****S184633** B215713 Second Appellate District, Div. 3

Petition for review & depublication request(s) denied

**LEGACY VULCAN
CORPORATION v. S.C.
(TRANSPORT INSURANCE
COMPANY)****S184634** F058780 Fifth Appellate DistrictPetition for review denied
Baxter, J., was recused and did not participate.**TINSLEY (JUDE WILLIAM),
CONSERVATORSHIP OF**

S184653 H033503 Sixth Appellate District

Petition for review denied

**SAN JOSE, CITY OF v.
UNION PACIFIC RAILROAD
COMPANY**

S184662 B219677 Second Appellate District, Div. 2
Petition for review denied

IN RE A.L.

S184672 G041710 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MARLOW
(JAMES FREDRICK)**

S184692 B213996 Second Appellate District, Div. 7

Petition for review denied

**WEST (CAROLYN) v.
WOODS (ALBERT)**

S184711 G043818 Fourth Appellate District, Div. 3

The petition for review is denied without prejudice to any relief to which petitioner might be entitled after this court decides *People v. Brown*, S181963.

**CHAPIN (EDWARD
DWIGHT) ON H.C.**

S184721 B219454 Second Appellate District, Div. 3
Petition for review denied

IN RE JESSE Q.

S184725 H034432 Sixth Appellate District

Petition for review denied

**ZORAN CORPORATION v.
CHEN (THOMAS)**

S184736 D055133 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SILVA (JOHN
MANUEL)**

- S184738** B202011 Second Appellate District, Div. 2 **PEOPLE v. BRADLEY
(ALLEN JAMES)**
The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Dungo*, S176886, *People v. Gutierrez*, S176620, *People v. Lopez*, S177046, and/or *People v. Rutterschmidt*, S176213.
- S184739** B217675 Second Appellate District, Div. 5 **PEOPLE v. OLMOS (JOSE
LUIS)**
Petition for review denied
- S184751** D054557 Fourth Appellate District, Div. 1 **PEOPLE v. STAMPS
(TERRENCE MAURICE)**
Petition for review denied
- S184753** B218406 Second Appellate District, Div. 2 **PEOPLE v. PENA (LUIS
ENRIQUE)**
Petition for review denied
- S184756** D055582 Fourth Appellate District, Div. 1 **PEOPLE v. HENDERSON
(ANDREW MITCHELL)**
Petition for review denied
- S184757** E048618 Fourth Appellate District, Div. 2 **PEOPLE v. POLANCO
(RIGOBERTO)**
Petition for review denied
- S184761** H034767 Sixth Appellate District **IN RE VINCENT M.**
Petition for review denied
- S184762** B224860 Second Appellate District, Div. 6 **KELLERMANN (KATHY) v.
WORKERS'
COMPENSATION APPEALS
BOARD/(REGENTS OF THE
UNIVERSITY OF SANTA
BARBARA)**
Petition for review denied

S184763 D054322 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. AUVIL (NANCY CHINEL)

S184765 B217622 Second Appellate District, Div. 5

Petition for review & depublication request(s) denied
Werdegarr, J., is of the opinion the petition should be granted.

EMBASSY LLC. v. CITY OF SANTA MONICA

S184766 B206391 Second Appellate District, Div. 3

Petition for review denied

PEOPLE v. CISNEROS (STEVEN)

S184771 A127317 First Appellate District, Div. 4

Petition for review denied

PEOPLE v. WYSINGER (AARON)

S184772 D054897 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. TAYLOR (JAMES HARPER)

S184773 E048275 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. NAVARRO (ALEX)

S184780 H034814 Sixth Appellate District

Petition for review denied

PEOPLE v. GARCIA (RUBEN ANTHONY)

S184783 C061399 Third Appellate District

Petition for review denied

IN RE E.R.

S184784 B214425 Second Appellate District, Div. 6

Petition for review denied

PEOPLE v. MONASTERIO (ADRIAN)

S184785 H033608 Sixth Appellate District

Petition for review denied

**PEOPLE v. BROWN
(TIMOTHY WILLIAM)**

S184788 E048212 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. McKINNIE, JR.,
(BIRL)**

S184789 G042754 Fourth Appellate District, Div. 3

Petition for review denied

**KEENE (JOSHUA) v. MANN
(JULIA)**

S184791 H035699 Sixth Appellate District

Petition for review denied

**WOODS II (EARNEST C.) ON
H.C.**

S184798 B225732 Second Appellate District, Div. 5

Petition for review denied

**THORSELL (MICAHA DAVID)
v. S.C. (PEOPLE)**

S184800 E046921 Fourth Appellate District, Div. 2

Petition for review denied

**LYNN (MISTI) & FILLHART
(DAVE ALAN), MARRIAGE
OF**

S184802 D054784 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. CASTANEDA
(FREDERICO)**

S184803 G041661 Fourth Appellate District, Div. 3

Petition for review & depublication request(s) denied

**SORIA, JR., (RICHARD C.) v.
SORIA (RICHARD R.)**

S184805 G041994 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. STUDEVILLE
(JACQUELYNE)**

S184810 E051317 Fourth Appellate District, Div. 2

The request for judicial notice is denied.
The application for stay and petition for review are denied.

**COX (JUSTIN) v. S.C.
(PEOPLE)**

S184817 A124228 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. BUCCI (NICOLA
CHRISTOPHER)**

S184819 B225183 Second Appellate District, Div. 8

Petition for review denied

**ANDERSON (SARA
COURTNEY) v. S.C.
(ROYBAL)**

S184823 B215470 Second Appellate District, Div. 5

Petition for review denied

**HERVEY (LAUREN N.) v.
MERCURY CASUALTY
COMPANY**

S184841 H033733 Sixth Appellate District

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Brown*, S181963.

**PEOPLE v. GALIA (TOMMY
LEE)**

S184844 B224442 Second Appellate District, Div. 7

Petition for review denied

**GOODFRIEND (MARVIN) v.
S.C. (RICKLEY)**

S184848 A124318 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. WHEELER
(RICKY RAY)**

S184850	B212219 Second Appellate District, Div. 7	PEOPLE v. HERNANDEZ (MARTIN)
Petition for review denied		
S184860	E047485 Fourth Appellate District, Div. 2	PEOPLE v. SMITH, JR., (CLIFFORD PAUL)
Petition for review denied		
S184880	B214201 Second Appellate District, Div. 4	PEOPLE v. MENZHUBER (ROBERT)
Petition for review denied		
S184883	B216568 Second Appellate District, Div. 4	PEOPLE v. SANDOVAL (AIDA)
Petition for review denied		
S184887	G041944 Fourth Appellate District, Div. 3	MARTENE (CHRISTOPHER P. & JENNIFER S.), MARRIAGE OF
Petition for review denied		
S184888	F059798 Fifth Appellate District	IN RE C.G.
Petition for review denied		
S184899	G042295 Fourth Appellate District, Div. 3	PEOPLE v. BELIZ (JORGE AVILA)
Petition for review denied		
S184901	F058581 Fifth Appellate District	PEOPLE v. WILCHER (DWAYNE GIOVANNI)
Petition for review denied		
S184903	D054669 Fourth Appellate District, Div. 1	PEOPLE v. HEARD (J.B.)
Petition for review denied		

S184906 H034197 Sixth Appellate District

Petition for review denied

**PEOPLE v. ELANSARI
(JOSEPH AZIZ)**

S184913 B221691 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MENDOZA
(ARMANDO)**

S184914 B221650 Second Appellate District, Div. 8

Petition for review denied

**LOS ANGELES, CITY OF v.
WORKERS'
COMPENSATION APPEALS
BOARD/(SOUQUETT)**

S184924 B218720 Second Appellate District, Div. 6

Petition for review denied

**CENTURY 21 BUTLER
REALTY, INC. v. DENNELL
(DIANE M.)**

S184938 E048763 Fourth Appellate District, Div. 2

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Brown*, S181963.

**PEOPLE v. POSTELL
(GREGORY)**

S184939 H034199 Sixth Appellate District

Petition for review denied

**PEOPLE v. FLORES
(BERNARD)**

S184940 D056076 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LAGUNA (JOSE
JESUS)**

S184942 B213413 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. RODRIGUEZ
(MICHAEL)**

S184943 E048454 Fourth Appellate District, Div. 2
Petition for review denied

IN RE C.C.

S184948 D057584 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. MEYER (KEVIN
RUSSELL)**

S184953

Petition for writ of mandate/prohibition denied

**ALCARAZ (TEODORO S.) v.
COURT OF APPEAL, THIRD
APPELLATE DISTRICT
(PEOPLE)**

S184974 D055262 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. NEELEY
(JAMAAL)**

S185037 B222227 Second Appellate District, Div. 4
Petition for review denied

**TATUM, JR., (WILLIE E.) ON
H.C.**

S185128 A129098 First Appellate District, Div. 5
Petition for review denied

**MILLER (MARTIN EUGENE)
ON H.C.**

S185307

Petition for writ of mandate/prohibition & application for stay denied

**HENDERSON (DEMORA) v.
COURT OF APPEAL, FIRST
APPELLATE DISTRICT,
DIVISION THREE (PEOPLE)**

S185408**STATE OF CALIFORNIA,
STATE CONTROLLER'S
OFFICE v. COURT OF
APPEAL, SECOND
APPELLATE DISTRICT (ST.
JEAN)**

Petition for writ of mandate/prohibition denied

S185808 A129173 First Appellate District, Div. 2**ARNTZ (JOHN) v. S.C.
(ALIOTO-PIER)**Petition for review & application for stay denied
Chin, J., was recused and did not participate.**S178983****JENNINGS (CHARLES) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)**S179236****CARRANZA (JUAN) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S179374****DIAZ (HECTOR) ON H.C.**

Petition for writ of habeas corpus denied

S179599**RUSSELL (BRIAN JAMES)
ON H.C.**

Petition for writ of habeas corpus denied

S179663**GADLIN (GREGORY) ON
H.C.**

Petition for writ of habeas corpus denied

S179710**OWENS (DWAN L.) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S179857**MORRIS (KEVIN ANTHONY)
ON H.C.**

Petition for writ of habeas corpus denied

S179961**MEZA (ARTURO) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S180041****TRAMONTANA
(TERRENCE) ON H.C.**

Petition for writ of habeas corpus denied

S180083**JENKINS (SLEVEN LAMAR)
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**S180189****FOSTER (RONALD PAUL)
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Swain* (1949) 34 Cal.2d 300, 304.)**S180216****SHEARD (SHA'REEF) ON
H.C.**

Petition for writ of habeas corpus denied

S180218**HUGHES (LEROY) ON H.C.**

Petition for writ of habeas corpus denied

S180230**BURTON (HARRISON L.) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218.)

S180231**DAVIS (LaCHOY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S180235**JAKE (JASON JERMELL) ON H.C.**

Petition for writ of habeas corpus denied

S180331**ROJERO (JULIO MATA) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S180333**MONTANEZ (RAMIRO) ON H.C.**

Petition for writ of habeas corpus denied

S180347**DIXON (ROBERT WAYNE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S180354**McMILLAN (EDWIN D.) ON H.C.**

Petition for writ of habeas corpus denied

S180358**AVILA (MARIO) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218.)

S180372**GONZALEZ (MARTIN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Lindley* (1947) 29 Cal.2d 709; *In re Waltreus* (1965) 62 Cal.2d 218.)

S180378**McGHEE (DANNY DAN) ON H.C.**

Petition for writ of habeas corpus denied

S180400**DANIELS (CURTIS) ON H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S180403****BELL (JUDY) ON H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S180464****OATIS (WALTER DeLEON) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**S180465****FORD (TYRONE DION) ON H.C.**

Petition for writ of habeas corpus denied

S180466**MADDOX (DAVID L.) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**S180472****BAIRD (EUGENE) ON H.C.**

Petition for writ of habeas corpus denied

S180483**ANGEL (CARLOS) ON H.C.**

Petition for writ of habeas corpus denied

S180485**GOSSETT, JR., (BILLY W.) ON H.C.**

Petition for writ of habeas corpus denied

S180486**PARKER (ELIJAH SHANE)
ON H.C.**

Petition for writ of habeas corpus denied

S180500**BELL (RICHARD C.) ON H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S180508****SANCHEZ (VICTOR) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S180511****AGUIRRE (GERARDO) ON
H.C.**

Petition for writ of habeas corpus denied

S181093**WILLIAMS (WALTER) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218.)**S182061****HARRIS (EDDIE LEE) ON
H.C.**

Petition for writ of habeas corpus denied

S182771**GADLIN (GREGORY) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**S183177****HUNOT (BRIAN) ON H.C.**

Petition for writ of habeas corpus denied

S183755**LOPEZ (JOSE CARLOS) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)

S183836**HAMILTON (LIONELL) ON
H.C.**

Petition for writ of habeas corpus denied

S183989**PATTERSON (VERNON G.)
ON H.C.**

Petition for writ of habeas corpus denied

S184102**HARRISON (CARL F.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 92.)

S184304**COSTALES (GEORGE
CHRISTIAN) ON H.C.**

Petition for writ of habeas corpus denied

S184381**HANEY (BRUCE PATRICK)
ON H.C.**

Petition for writ of habeas corpus denied

S184536**MITCHELL (ERIC) ON H.C.**

Petition for writ of habeas corpus denied

S184594**BROWN-MONROE
(CHRISTOPHER) ON H.C.**

Petition for writ of habeas corpus denied

S184631**COOK (MICHAEL W.) ON
H.C.**

Petition for writ of habeas corpus denied

S184714**SANCHEZ (LUIS MARIANO)
ON H.C.**

Petition for writ of habeas corpus denied

S184719**AULT (EDWARD JOHN) ON
H.C.**

Petition for writ of habeas corpus denied

S184793**LANGSTON (ANTHONY) ON
H.C.**

Petition for writ of habeas corpus denied

S184821**HINES (CHRISTOPHER) ON
H.C.**

Petition for writ of habeas corpus denied

S184831**PLUMMER, JR., (WILLIAM
P.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

S184926**SMITH (TOM) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S184928**REYNOLDS (STEVEN
ARTHUR) ON H.C.**

Petition for writ of habeas corpus denied

S184954**LOVE (ANTHONY) ON H.C.**

Petition for writ of habeas corpus denied

S185056

Petition for writ of habeas corpus denied

ELLIS (EDWARD) ON H.C.**S185112**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**STEWART (WAYNE) ON H.C.****S185169**

Petition for writ of habeas corpus denied

**JACKSON (MICHAEL) ON
H.C.****S185172**

Petition for writ of habeas corpus denied

**KNAPP (LAWRENCE) ON
H.C.****S185198**

Petition for writ of habeas corpus denied

SAENZ (MICHAEL) ON H.C.**S185247**

Petition for writ of habeas corpus denied

**CLARKE (ANTHONY) ON
H.C.****S185251**

Petition for writ of habeas corpus & application for stay denied

ARCH (EDWARD) ON H.C.**S185363**

Petition for writ of habeas corpus denied

**HENDERSON (DEMORA) ON
H.C.****S183185**

G041865 Fourth Appellate District, Div. 3

Publication request denied (case closed)

**RINALDI (LILIANA &
ANGELO), MARRIAGE OF**

S184270 B210156 Second Appellate District, Div. 8

Publication request denied (case closed)

**JACKSON (RALPH) v.
HACKMAN (MICHAEL)**

S184356 D055089 Fourth Appellate District, Div. 1

Publication request denied (case closed)

PEOPLE v. CASEY (JARED)

S184376 G041694 Fourth Appellate District, Div. 3

Publication request denied (case closed)

**SANCHEZ (ALMA) v.
RETAIL PROPERTY TRUST**

S184396 B216885 Second Appellate District, Div. 1

Publication request denied (case closed)

**NAVARRO (LOURDES) v.
CRUZ (INGRID)**

S184827 D056648/D056652 Fourth Appellate District, Div. 1 **CENTER FOR BIOLOGICAL
DIVERSITY v. COUNTY OF
SAN BERNARDINO
(NURSERY PRODUCTS LLC.)**

Depublication request denied (case closed)

The requests for an order directing depublication of the opinion in the above-entitled appeal are denied.

The court declines to review this matter on its own motion. The matter is now final.

S184862 B214955 Second Appellate District, Div. 8

Depublication request denied (case closed)

**MARTINEZ (JOSE MAZON)
v. FORD MOTOR COMPANY**

S184918 G042970 Fourth Appellate District, Div. 3

Publication request denied (case closed)

**BRYAN (KELLY M.) v. S.C.
(PEOPLE)**

S184370 G041265 Fourth Appellate District, Div. 3

The time for granting or denying review in the above-entitled matter is hereby extended to October 8, 2010.

**PEOPLE v. RAMIREZ (JOSE
LUIS BERMUDEZ)**

S052374**PEOPLE v. BROWN (STEVEN ALLEN)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Kathleen A. McKenna's representation that she anticipates filing the respondent's brief by November 6, 2010, counsel's request for an extension of time in which to file that brief is granted to November 8, 2010. After that date, no further extension is contemplated.

S085578**PEOPLE v. McDOWELL, JR., (CHARLES EDWARD)**

Extension of time granted

Good cause appearing, and based upon counsel Tamara P. Holland's representation that she anticipates filing the reply brief by November 8, 2010, counsel's request for an extension of time in which to file that brief is granted to November 8, 2010. After that date, no further extension is contemplated.

S089619**PEOPLE v. ALVAREZ (FRANCISCO JAY)**

Extension of time granted

Good cause appearing, and based upon counsel Mark E. Cutler's representation that he anticipates filing the appellant's opening brief by early 2011, counsel's request for an extension of time in which to file that brief is granted to November 8, 2010. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S116307**PEOPLE v. FLORES III (ALFRED)**

Extension of time granted

Good cause appearing, and based upon counsel Robert Derham's representation that he anticipates filing the appellant's opening brief by March 2011, counsel's request for an extension of time in which to file that brief is granted to October 26, 2010. After that date, only three further extensions totaling about 150 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S123813**PEOPLE v. FLINNER
(MICHAEL WILLIAM)**

Extension of time granted

Appellant's request for relief from default is granted.

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 22, 2010.

S132253**PEOPLE v. HELZER (JUSTIN
ALAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 27, 2010.

S137730**PEOPLE v. POWELL (TROY
LINCOLN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 9, 2010.

S160814**VIRGIL (LESTER WAYNE)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Manuel J. Baglanis's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by December 2010, counsel's request for an extension of time in which to file that document is granted to November 1, 2010. After that date, only two further extensions totaling about 90 additional days are contemplated.

S181963

C056510 Third Appellate District

**PEOPLE v. BROWN III
(JAMES LEE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to October 7, 2010.

S182629 B211932/B214302 Second Appellate District, Div. 1 **SHALANT (JOSEPH L.) v. GIRARDI (THOMAS V.)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to and including September 20, 2010.

S184929 B213104 Second Appellate District, Div. 8 **ARYEH (JAMSHID) v. CANON BUSINESS SOLUTIONS, INC.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to September 1, 2010.

No further extensions of time are contemplated.

S183405 **WILLIAMS, JR., (BOB RUSSELL) ON H.C.**

Record ordered unsealed

Petitioner's "Motion to Unseal Documents Cited in Conditionally Under Seal Unredacted Claims 5, 8.F and 15 in Support of Petition for Writ of Habeas Corpus Pursuant to the Order of the United States District Court," filed on July 7, 2010, is granted in part. The Clerk is directed to unseal the following portions of the record on appeal in *People v. Bob Russell Williams*, S056391:

- (1) Reporter's transcript of confidential hearings on June 25, 1996;
- (2) Sealed First Supplemental Clerk's Transcript, pages 4, 38-43, 79-88, 280, 290, 415, and 418-431; and
- (3) Probation Report filed on August 8, 1996.

The request to unseal the Reporter's transcript of the proceedings of December 7, 1994, is denied because the transcript was never sealed.

The request to unseal the following documents is denied because they were previously unsealed pursuant to this court's order of February 24, 2004:

- (1) Confidential and Ex Parte Motion for Appointment of Counsel filed December 15, 1994;
- (2) Supplemental Declaration in Support of Motion for Continuance dated December 3, 1995;
- (3) Confidential Supplemental Declaration in Support of Motion for Continuance filed December 8, 1995;
- (4) Reporter's transcript of confidential proceedings dated January 17, 1996; and
- (5) Reporter's transcript of confidential hearings on April 3 and 4, 1996.

The "Motion for Permission to File Conditionally Under Seal Unredacted Claims 5, 8.F and 15," filed on June 11, 2010, is denied.

The Clerk is directed to file those claims in the public record. This court will consider them as part of the Petition for Writ of Habeas Corpus filed on June 9, 2010.

S125276**HINTON (ERIC LAMONT)
ON H.C.**

Request for judicial notice granted

Respondent's "Request for Judicial Notice," filed on January 11, 2005, is granted.

S116750**DAVIS (STANLEY
BERNARD) ON H.C.**

Reference hearing ordered

THE COURT:

Based on the record in this matter and good cause appearing:

The Honorable Charles McCoy, Presiding Judge of the Superior Court of California, County of Los Angeles, is directed to select a Judge of that court to sit as a referee in this proceeding and promptly notify this court of the referee selected. After appointment by this court, the referee is to take evidence and make findings of fact on the following questions regarding the case of *People v. Stanley Bernard Davis* (Los Angeles County Superior Court Case No. A093076, Judge Leslie W. Light):

1. Did trial counsel Louis Bernstein have tactical or other reasons for failing to object to the prosecutor's penalty phase closing argument in which he invoked biblical and religious sources? If so, what were the reasons? Would reasonably competent counsel acting as a diligent advocate have objected to the prosecutor's argument?
2. Did trial counsel Louis Bernstein have tactical or other reasons for failing to object to the prosecutor's penalty phase closing argument accusing the defense of fabrication? If so, what were the reasons? Would reasonably competent counsel acting as a diligent advocate have objected to the prosecutor's argument?
3. Is petitioner mentally retarded within the meaning of *Atkins v. Virginia* (2002) 536 U.S. 304, and *In re Hawthorne* (2005) 35 Cal.4th 40?

It is further ordered that the referee prepare and submit to this court a report of the proceedings conducted pursuant to this appointment, of the evidence adduced, and the findings of fact made.

All requests for discovery in this matter must be addressed to the referee.

Baxter, Chin, and Corrigan, JJ., are of the opinion a reference hearing should be ordered as to the third issue only.

S178359

Petition denied

(accusation)

ACCUSATION OF HENRY**S184449**

Petition denied

(accusation)

**ACCUSATION OF
GONZALEZ**

S184504

Petition denied

(accusation)

ACCUSATION OF BODNAR**S184513**

Petition denied

(accusation)

ACCUSATION OF PRIMM**S184572**

Petition denied

(accusation)

**ACCUSATION OF
LEIGHTON****S184589**

Petition denied

(accusation)

ACCUSATION OF CHAN**S184596**

Petition denied

(accusation)

**ACCUSATION OF
CHUDNOVSKY****S184657**

Petition denied

(accusation)

ACCUSATION OF YI**S184729**

Petition denied

(accusation)

**ACCUSATION OF PARTNER,
JR.****S184735**

Petition denied

(accusation)

**ACCUSATION OF
WASHINGTON****S184754**

Petition denied

(accusation)

ACCUSATION OF ZAHORIK**S184776**

Petition denied

(accusation)

ACCUSATION OF POMER

S184808

Petition denied

(accusation)

ACCUSATION OF REEDOM**S184854**

Petition denied

(accusation)

ACCUSATION OF PALMA**S184952**

Petition denied

(accusation)

**ACCUSATION OF
NAKHIMOVSKY**

